

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

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BOYKINS, CLERK
CASPER

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLISSON MAR BEBIANO,

Defendant.

CRIMINAL COMPLAINT

Case Number: 19-mj-103-ABJ

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

From on or about October 29, 2019, through and including November 25, 2019, in the District of Wyoming, the Defendant, **ALLISSON MAR BEBIANO**, knowingly and with the intent to defraud produced, used, or attempted to use one or more counterfeit access devices, which affected interstate commerce.

In violation of 18 U.S.C. § 1029(a)(1), (b)(1).

COUNT TWO

From on or about October 29, 2019, through and including November 25, 2019, in the District of Wyoming, the Defendant, **ALLISSON MAR BEBIANO**, knowingly and with intent to defraud, trafficked in or used one or more unauthorized access devices during a one-year period, and by such conduct obtained things of value aggregating to \$1,000 or more during that period, which affected interstate commerce.

In violation of 18 U.S.C. § 1029(a)(2).

COUNT THREE

From on or about October 29, 2019, through and including November 25, 2019, in the District of Wyoming, the Defendant, **ALLISSON MAR BEBIANO**, knowingly and with intent to defraud, produced, trafficked in, had control or custody of, or possessed device-making equipment, which affected interstate commerce.

In violation of 18 U.S.C. § 1029(a)(4).

I further state that I am a Special Agent with the FBI and that this complaint is based on the following facts:

(See attached Sworn Statement in Support of Criminal Complaint)

Continued on the attached sheet and made a part hereof.



Signature of Complainant
NEEKI S. CARTER

Sworn to before me and subscribed in my presence,

December 5, 2019

at Casper, Wyoming

Date

City and State

HON. R. MICHAEL SHICKICH

United States Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

SWORN STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

SPECIAL AGENT NEEKI CARTER
UNITED STATES v. BEBIANO

I, Neeki Carter, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since June 2004. I am currently assigned to the Casper Resident Agency and work a variety of violations. During the course of my career, I have worked white collar crime, cyber-crime, human trafficking, financial crimes, healthcare fraud, narcotics trafficking, violent gangs, and criminal organizations. As part of my investigations, I have led numerous search and arrest warrants, seizures, Title-III wire intercepts, conducted surveillance, obtained court-ordered pen register and trap and trace intercepts, and reviewed and analyzed toll records. My experience includes the investigation of cases involving the use of electronic devices to commit fraud, including counterfeit debit/credit card fraud, and bank fraud. I have received law enforcement training in the investigation of criminal violations of federal law within the jurisdiction of the FBI, and I have received training in the investigation of computer-related crimes.

2. This sworn statement is made in support of a complaint and an application for arrest warrants for violations 18 U.S.C. § 1029(a)(1), (b)(1), (a)(2), and (a)(4) (Access Device Fraud).

3. The information contained in this sworn statement is based upon my personal observations, my training and experience, and on information related to me by other law enforcement officers and investigators as set forth more fully herein. Specifically, I prepared this sworn statement based on information obtained from Cody Police Department probable cause

affidavits, which I have reviewed, and information I obtained by speaking to Officer Scott Burlingame.

4. On November 12, 2019, Bighorn Federal Savings Bank (BFSB), Senior Security Officer, Max Mazur, contacted Park County, Wyoming, dispatch regarding fraudulent activity occurring at the Cody and Powell branches of the bank. I verified that BFSB is an FDIC Insured Financial Institution through the FDIC website. BFSB's FDIC Number is 29637, and the company headquarters is located at 33 North 6th Street, Greybull, Wyoming, 82426. BFSB is involved in interstate commerce.

5. Officer Scott Burlingham, Cody Police Department, contacted Mazur for further details regarding the fraudulent activity. Mazur indicated that he was alerted to the potential fraud via a fraud notification system that "flagged" several transactions. The notification system works by allowing banks to input fraud alerts on specific accounts thus alerting other banks on the status of those accounts. Mazur generated a report from the fraud notification system that alerted him to the possibility of a fraudulent transaction. Mazur reviewed video surveillance footage related to the fraudulent transaction and noticed one male suspect, who was later identified as ALLISSON MAR BEBIANO (specific details on how BEBIANO was identified are contained in paragraph 12). Mazur observed BEBIANO utilizing multiple credit/debit cards at the ATM. Mazur advised that the suspect withdrew approximately \$7,660.00 from ATM machines at the Cody and Powell branches of BFSB.

6. On November 17, 2019, Officer Burlingame reviewed video surveillance footage from numerous transactions at BFSB. The dates listed on corresponding videos were 10-29-19, 10-31-19, 11-01-19, 11-02-19, 11-03-19, 11-04-19, 11-10-19 for the BFSB Cody branch and 11-05-19 and 11-10-19 for the BFSB Powell branch. Officer Burlingame observed BEBIANO

driving up to the ATM and attempting to use multiple credit/debit cards, which were in his possession. BEBIANO was observed withdrawing United States currency from the ATM machine on multiple occasions. However, sometimes the transaction did not appear to be valid because the ATM machine did not provide cash, it only provided a receipt that BEBIANO then placed in the vehicle or on his person. BEBIANO's duration at the ATM machines appeared to be abnormally lengthy and it did not appear that anyone else was in the vehicle with BEBIANO. Based on the video surveillance footage, it appeared that BEBIANO was driving a 2019 GMC Yukon bearing Minnesota License Plate CKR938. The license plate was registered to EAN Holdings, LLC, which does business as Enterprise Rent-A-Car. Based on the video surveillance footage, it appeared that BEBIANO was driving another either silver or white SUV, bearing a California license plate as well. The license plate number was illegible.

7. On November 17, 2019, Officer Burlingame canvassed hotels in Cody, Wyoming attempting to locate a temporary residence for BEBIANO. Officer Burlingame made contact with Holiday Inn Guest Services Representative, Michael Sosa. The Holiday Inn was located at 1701 Sheridan Avenue, Cody, Wyoming. Officer Burlingame showed Sosa photos of BEBIANO captured from the video surveillance footage obtained by BFSB. Sosa indicated that he recognized BEBIANO and specifically remembered the black and white knit cap that BEBIANO was wearing in one of the photos. Officer Burlingame provided to Sosa the name "Douglas Machado" and asked if there were any guests registered at the hotel under that name. Sosa stated that Douglas Machado checked into the Holiday Inn on November 2, 2019 and checked out on November 5, 2019 and then re-registered from November 5, 2019 until November 8, 2019.

8. On November 18, 2019, Officer Burlingame contacted Holiday Inn Guest Services Manager, Nate Nelson, for additional information. Nelson provided Officer Burlingame

with guest "reg cards." A reg card is a registration card that is voluntarily completed by the hotel guest that may include: vehicle information, address, length of stay, rate and number of room occupants. Based on the information contained on the reg cards, it appeared that BEBIANO stayed at the Holiday Inn, using the alias Douglas Machado from November 8, 2019 until November 11, 2019 as well. The reg card for the stay that took place from November 2, 2019 until November 5, 2019 had a hand written vehicle description of a "GMC YUKKON."

9. On November 18, 2019, Officer Burlingame communicated with Enterprise Rent-A-Car Security Supervisor, Faye Styskal, regarding the 2019 GMC Yukon bearing Minnesota License Plate CKR938. Styskal indicated that the vehicle was rented from Salt Lake City Airport on October 25, 2019 and returned on November 7, 2019. The vehicle was rented under the name Douglas Machado with a Brazilian ID number of 0620937881. (A Brazilian ID card for Douglas Diego Gomez Machado, ID Number 0620937881, was found during the search of BEBIANO's vehicle. See Paragraph 13.)

10. On November 21, 2019, Officer John Harris, Cody Police Department, informed Officer Burlingame that Max Mazur from BFSB had informed him that BEBIANO attempted to withdraw more cash from the ATM on November 20, 2019. BEBIANO was unsuccessful at obtaining any cash, but attempted five times with five different credit/debit cards.

11. On November 25, 2019, while Officer Burlingame was on patrol, BFSB Bank President, Scott Peterson, contacted Park County Dispatch. He informed dispatch that BEBIANO was at the Sunlight Federal Credit Union (SFCU) ATM, located at 1702 17th Street. SFCU was located directly north of BFSB. I verified that SFCU is an NCUA Insured Financial Institution through the NCUA website. SFCU's NCUA Number is 8733, and the company headquarters is located at 1702 17th Street, Cody, Wyoming, 82414. SFCU is involved in interstate commerce.

12. Peterson stated that BEBIANO was driving a white sedan. Officer Burlingame responded to SFCU and observed a white Nissan sedan bearing Montana license plate 543226B at the SFCU ATM. Dispatch advised that the Nissan returned to EAN Holdings, LLC. Officer Burlingame conducted a traffic stop on the Nissan and made contact with the driver, who was the only occupant of the vehicle, and was able to positively identify him as the individual in the surveillance video footage provided by BFSB. BEBIANO provided Officer Burlingame with a Brazilian ID and passport bearing the name ALLISSON MAR BEBIANO. Officer Burlingame placed BEBIANO under arrest and asked BEBIANO where he was staying. BEBIANO requested a lawyer.

13. On November 26, 2019, Officer Burlingame executed a Search Warrant on the 2018 white Nissan Altima. During the search of the vehicle, some of the items that were recovered were as follows: one laptop; two cellular telephones; 23 debit/credit cards (issued from various banks to include some Visa cards); approximately 30 ATM receipts, showing both successful and unsuccessful transactions; approximately \$13,000 in United States currency; one Passport, Visa and Brazilian ID card for ALLISSON MAR BEBIANO; two Bank of America business cards from Draper, Utah; one Brazilian ID card for Douglas Diego Gomez Machado (ID #06200937881); hotel room keys for Comfort Inn, Holiday Inn and Hilton Hotels; 1 Deftun card reader/writer. The Deftun credit card reader/writer was manufactured by Deftun International Co., Ltd., which is located in Shenzhen, China. Thus, it passed through interstate commerce.

14. On November 25, 2019, Mazur told Officer Burlingame that the current loss for BFSB was \$7,960 and that they had identified 14 different instances from October 29, 2019 until November 25, 2019, where BEBIANO ran multiple fraudulent cards at BFSB. According to

Mazur, there was a significant quantity of international Bank Identification Numbers (BIN), associated to the debit/credit cards used by BEBIANO.

15. On December 3, 2019, with the assistance of BFSU, Officer Burlingame compared credit/debit card numbers encoded on the magnetic strip against the numbers embossed on the front of the credit/debit cards seized from BEBIANO's vehicle. It appeared that approximately 14 cards reflected a different number on the magnetic strip versus the number embossed on the front of the card. The card reader was able to identify user names for 11 of the numbers encoded on the magnetic strip. The names were all different and did not match the name of BEBIANO.

16. I know from my training and experience that card reader/writers can be used to fraudulently encode debit/credit cards or any card with a magnetic strip with fraudulently obtained financial information, thus creating counterfeit credit/debit cards.

17. Officer Burlingame provided me with the list of fraudulent transactions at BFSB. I ran the debit/credit cards through an online source and I learned that the BINs for the cards were associated to numerous foreign financial institutions. Some of these institutions were located in Spain, France, South Africa, Jamaica, Mexico, India, Hungary and Switzerland.

18. I also reviewed BEBIANO's travel history and it appeared that BEBIANO recently arrived into the United States on October 5, 2019 on a tourist visa and has been granted visitor status until April 4, 2020. It appeared that BEBIANO traveled in and out of the United States approximately 15 times since 2014.

END OF SWORN STATEMENT

PENALTY SUMMARY

DEFENDANT NAME: ALLISSON MAR BEBIANO

DATE: December 5, 2019

INTERPRETER NEEDED: No

VICTIM(S): Yes

OFFENSE/PENALTIES:

Ct: 1 18 U.S.C. § 1029(a)(1), (b)(1)
(Producing, Using, or Trafficking a Counterfeit Access Device)

0-10 Years Imprisonment
Up To \$250,000 Fine
3 Years Supervised Release
\$100 Special Assessment

Ct: 2 18 U.S.C. § 1029(a)(2)
(Using or Trafficking in Unauthorized Access Devices)

0-10 Years Imprisonment
Up To \$250,000 Fine
3 Years Supervised Release
\$100 Special Assessment

Ct: 3 18 U.S.C. § 1029(a)(4)
(Illegal Possession, Production, or Trafficking in Counterfeit Device Making Equipment)

0-15 Years Imprisonment
Up To \$250,000 Fine
5 Years Supervised Release
\$100 Special Assessment

TOTALS:

35 Years Imprisonment
Up to \$750,000 Fine
11 Years Supervised Release
\$300 Special Assessment

AGENT:

Neeki S. Carter, FBI Special Agent

AUSA:

Christyne M. Martens, Assistant United States Attorney

**ESTIMATED TIME OF
TRIAL:**

1 to 5 days

**WILL THE GOVERNMENT
SEEK DETENTION IN THIS
CASE:**

Yes

**ARE THERE DETAINERS
FROM OTHER
JURISDICTIONS:**

No.